

REMARKS

As a preliminary matter, the Abstract has been rewritten to overcome the outstanding objection. Reconsideration and withdrawal of the objection are therefore respectfully requested in light of this amendment.

Claims 9-12 stand rejected under 35 U.S.C. 102(b) as being anticipated by Farchmin et al. (U.S. 5,567,042). Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) an optical waveguide connected to an open end of a reflector to guide emitted light, as in independent claim 9 of the present invention.

The Examiner asserts that Farchmin's diffuser plate 19 is analogous to the optical waveguide of claim 9 of the present invention. The Specification to the present Application, however, as well as many of the other references cited by the Examiner, all teach that diffuser plates and optical waveguides are not the same. Applicants respectfully direct the Examiner's attention to the last two lines of page 1 of the present Specification, and the first three lines of page 2, for example. As another example, the Examiner may compare the light guide plate 32 with the diffusion plate 36 (Figs. 13, 14) in the Okahira reference (JP 09-282918), which also shows that diffusion plates and optical waveguides are not merely interchangeable. Accordingly, the Section 102 rejection of claims 9-12 is deficient on its face, because Farchmin does not teach or suggest an optical waveguide, and the rejection should be withdrawn for at least these reasons.

Claims 13 and 14 stand rejected under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (JP 08-262438). Applicants respectfully traverse this rejection because the cited reference does not disclose (or suggest) a second optical waveguide between a reflector

and a cold-cathode tube, where a space is formed between the cold-cathode tube and the second waveguide, as in claim 13 of the present invention, as amended.

The Examiner asserts that Watanabe's transparent adhesive 9 (that fills the space around the cold-cathode tube 5) is somehow analogous to the second optical waveguide of the present invention. This assertion is not reasonable based on the teachings of Watanabe, or on those of the present Specification. Watanabe's adhesive 9 is not analogous to the second optical waveguide shown in Fig. 8 of the present Application, for example. Nevertheless, in the interests of expediting prosecution, Applicants have amended claim 13 to clarify that a space is formed between the cold-cathode tube and the second optical waveguide. This amendment is fully supported by Fig. 8 of the present Application, and cannot read upon the Watanabe reference. Watanabe clearly shows that its adhesive 9 fills the entire volume between the tube 5 and the guide 6, leaving no space therebetween. Accordingly, for at least these reasons, the Section 102 rejection of claim 13, as well as its dependent claim 14, is respectfully traversed.

Claim 15 of the present invention stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuki (JP 10-091079) in view of Farchmin. Applicants respectfully traverse this rejection because neither of the cited references, whether taken alone or in combination, discloses or suggests phosphor dispersed inside a cold-cathode tube, as in claim 15 of the present invention.

The Examiner only asserts that Kazuki discloses the use of a fluorescent tube that contains phosphor, and that this *fluorescent* tube containing phosphor can somehow be substituted with the cold-cathode tube described by Farchmin. The Examiner's rationale for

making this combination is deficient though, because Kazuki does not support the Examiner's assertions, and also because even the proposed combination still fails to teach or suggest all of the recited features of the present invention.

The Examiner asserts that the Abstract of Kazuki teaches to include phosphor inside the fluorescent tube. Kazuki's Abstract, however, remains silent as to the presence of phosphor. Accordingly, the Section 103 rejection of claim 15 is deficient on its face because there is no clear teaching or suggestion in the cited portion of Kazuki for the actual presence of phosphor inside the tube.

The Section 103 rejection of claim 15 is further deficient because the proposed combination does not even read upon the present invention. The Examiner only asserts that Kazuki's *fluorescent tube* may be substituted for the cold-cathode tube described by Farchmin, but nowhere does the Examiner assert that either Kazuki or Farchmin teaches that phosphor from Kazuki's fluorescent tube should be disposed inside Farchmin's cold-cathode tube. Claim 15 of the present invention does not merely recite the presence of a fluorescent tube instead of a cold-cathode tube. Instead, claim 15 affirmatively recites that phosphor is dispersed inside of a cold-cathode tube. The Examiner has not shown any teaching or suggestion for these particular features as recited in claim 15, and therefore the rejection is further deficient for at least these reasons, and should be withdrawn.

Moreover, it is significant to note that claim 15 affirmatively recites that phosphor is dispersed inside the tube. As shown in Fig. 10, and at page 55, lines 21-24, of the present Specification, phosphor dispersed inside the tube is different than phosphor applied

only on the wall of the tube, as taught by Kazuki. Accordingly, for at least these additional reasons, the rejection of claim 15 is further traversed.

Claim 16 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Kazuki in view of JP 10-333590, and further in view of Okahira. Applicants respectfully traverse this rejection because none of the cited references, whether taken alone or in combination, discloses or suggests a temperature sensor for controlling the temperature of the cold-cathode tube, or a heating element on the inner surface on the housing for heating the cold-cathode tube, as in claim 16 of the present invention, as amended.

The Examiner correctly acknowledges that Kazuki does not disclose either of a temperature sensor and a heating element. The Examiner relies only upon the '590 JP reference for teaching the temperature sensor, and upon the Okahira reference for teaching a heating element. The '590 JP reference does not support the Examiner's assertions regarding the temperature sensor, however, and the Okahira reference does not teach an element analogous to the heating element of the present invention.

The Examiner asserts that the control circuit 19 of the '590 JP reference somehow must include a temperature sensor as part of its constitution because the control circuit is used for controlling the temperature of the tubes in the device. The Examiner, however, does not cite to any specific teaching or suggestion in the reference to support this assertion. In fact, the reference itself directly teaches away from the assertion. The machine translation of paragraph [0028] of the reference specifically states that "in this control circuit 19 a thermosensor is not used." (Emphasis added). The text further explains that electrical current to the tubes is controlled to limit the temperature, but not from any actual

measurement. Accordingly, the Section 103 rejection of claim 16 is deficient for at least these reasons.

The rejection of claim 16 is further traversed because the Okahira reference does not teach a heating element analogous to the present invention. Okahira shows that the light bulbs 46a, which are used for heating, are located on the outer surface of the lamp cover 42 that contains the reflective film 41 on its inner surface. For clarification purposes, claim 16 of the present invention has been amended to recite that the heating element is on the same inner surface of the housing on which is also located the reflector. Support for this amendment may be found in at least Figs. 11A-B, and page 56, lines 7-10, of the present Specification. Accordingly, because Okahira specifically teaches away from this configuration, the rejection of claim 16 is further traversed.

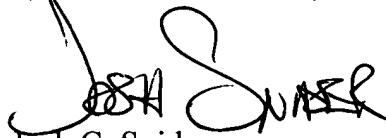
Claim 9 of the present invention has been amended to correct for grammatical informalities only, and not in response to any substantive rejection. The Examiner will note that a minor antecedent basis informality has been corrected by this amendment.

For all of the foregoing reasons, Applicants submit that this Application, including claims 9-16, is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By:

A handwritten signature in black ink, appearing to read "Josh C. Snider", written over a horizontal line.

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December 21, 2005

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